

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,

Case No. 14-CR-0403(3) (PJS/FLN)

Plaintiff,

v.

ORDER

TERRELL VONSHAY ROBERSON,

Defendant.

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Defendant Terrell Vonshay Roberson is serving a 120-month sentence after being convicted of conspiracy to distribute cocaine base (“crack”). This matter is before the Court on Roberson’s motion for release under 18 U.S.C. § 3582(c)(1)(A)(i). ECF No. 557. However, Roberson’s filing does not describe the reasons why he believes that he is entitled to compassionate release. Roberson’s motion states only that “[t]his motion is made pursuant to [18 U.S.C. § 3582(c)(1)(A)(i)] and is based upon the attached memorandum of points and authorities, all files and records in this case, and such further argument and supplemental supporting documents as may be presented in the pleading of this motion.” ECF No. 557 at 1. But no “memorandum of points and authorities” was “attached” to Roberson’s motion, and no “supplemental supporting documents” addressing the merits of Roberson’s claim have been filed. The Court has no idea why Roberson believes that he is entitled to compassionate release.

Roberson is directed to file a copy of the memorandum referred to in his motion or another memorandum describing the reasons why he should receive a sentence reduction no later than Monday, March 29, 2021. If Roberson fails to file a memorandum addressing the merits of his motion by March 29, 2021, the Court will deny his motion for compassionate release without prejudice.

Roberson has also filed a motion seeking the appointment of counsel. ECF No. 558. The Court is aware from its own interactions with Roberson that he is capable of describing the health concerns or other reasons why he believes that he should be released from prison. *See Phillips v. Jasper Cnty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006) (“The relevant criteria for determining whether counsel should be appointed include the factual complexity of the issues, the ability of the indigent person to investigate the facts . . . [and] present the claims, and the complexity of the legal arguments.”). Roberson’s motion for the appointment of counsel is therefore denied.

#### ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT:

1. Roberson must file a memorandum on or before March 29, 2021, describing the reasons why he believes that he is entitled to compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i).

2. If Roberson fails to file a memorandum as described in ¶ 1 of this order, the Court will deny Roberson's motion without prejudice.
3. Roberson's motion to appoint counsel [ECF No. 558] is DENIED.

Dated: February 22, 2021

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge